

Notice Number: ADN 02**Issue Number: 01****Effective Date: 09 July 2020****Subject: Application for exemption from regulations and directives****1. Introduction**

- 1.1 Regulation 98 of the Civil Aviation (Safety) Regulations, 2017 states: *The Authority may, after taking into account all safety-related aspects, operating circumstances and associated risks, exempt from any of these regulations or directives issued in accordance with these regulations, an aircraft or a person or class of aircraft or persons, either absolutely or subject to conditions as it thinks fit.*
- 1.2 The objective of this Aerodrome Notice is to advise aerodrome operators and applicants of the process for application for exemption from regulations and directives. It supplements the provisions in Chapter 2 of STS-ADR relating to exemptions from aerodrome standards and recommended practices.

2. Application Process

- 2.1 A written request from an operator for an Exemption from any of the requirements prescribed in the regulations or associated technical standard must be accompanied by a risk assessment.
- 2.2 All requests for an Exemption must be supported by justification for making the request including the reasons why compliance with a particular requirement is impracticable or temporarily inappropriate. The applicant must also indicate to the Authority the means by which an acceptable level of safety can be maintained, risks mitigated, and when compliance with the requirements can be expected.
- 2.3 The Authority will only consider requests for exemptions in situations that are genuinely unforeseen and where there is no other possible option.
- 2.4 An Exemption should never be regarded by the Operator as a means of circumventing the law for commercial expediency or alleviate against non-compliances.
- 2.5 The Authority will not consider any request for Exemption on any issues that could have reasonably been foreseen and addressed by an alternative course of action at the appropriate time.
- 2.6 The grant of an Exemption constitutes a "legal finding" and, as such, is the privilege of the Authority.
- 2.7 In the event that an Exemption will not be granted, the Authority will inform the applicant accordingly in writing.
- 2.8 In the event that an Exemption will be granted, the Authority will inform the applicant accordingly and issue an Exemption document which will include a validity period for the Exemption.

3. Queries

- 3.1 Any queries relating to this Aerodrome Notice should be addressed to Head of Aerodrome Safety & Standards Inspectorate on seyaga@scaa.sc.

**Aerodrome Safety & Standards Inspectorate
Seychelles Civil Aviation Authority
July 2020**